

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 In re JONES SODA COMPANY
10 SECURITIES LITIGATION

11 This order relates to: All Actions

Case No. C07-1366RSL

12 ORDER DENYING
13 MOTION TO INTERVENE

14
15 This matter comes before the Court on a motion filed by Jonathan Lee Riches to
16 intervene, for joinder, and to amend the complaint (Dkt. #61). Riches, who is proceeding
17 *pro se*, claims that he has an interest in the case and possesses newly discovered
18 information.

19 Plaintiffs oppose the motion, arguing that Riches' litigation history counsels
20 against granting the motion. Riches is an inmate in South Carolina serving a sentence for
21 wire fraud. One court noted that he has filed nearly 2,000 cases nationwide, while other
22 courts have denied his motions to intervene. See Plaintiffs' Opposition at pp. 2-3 (citing
23 numerous cases). Although those factors are troubling, the Court would deny the motion
24

25
26 ORDER DENYING
MOTION TO INTERVENE - 1

1 even without those issues.

2 As an initial matter, Riches did not serve the motion on all parties as required by
3 Fed. R. Civ. P. 24(c). Nor does the content of his filing comply with that Rule.

4 In addition, Riches has no statutory right to intervene. Nor is he so situated that
5 disposing of this action will impair his ability to protect his interests. Fed. R. Civ. P.
6 24(a), (b). Although Riches vaguely claims that common questions of law and fact exist,
7 he does not identify them or identify the nature of his interest in the matter. Furthermore,
8 Riches has not alleged that his interests are not adequately represented by the current
9 parties, particularly in light of the fact that plaintiffs seek to represent a class.

11 Similarly, although Riches also seeks relief under Rules 20 and 23, neither rule
12 provides for intervention by a non-party under these circumstances. Riches also seeks to
13 amend the complaint, but he has no standing to do so as a non-party. Finally, to the
14 extent that he has “newly discovered information,” he can share that with plaintiffs’
15 counsel without intervening.

17 DATED this 18th day of August, 2008.

20 

21 Robert S. Lasnik
22 United States District Judge